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A handwritten signature in dark ink, appearing to read "Joseph Weathered".

Joseph Weathered

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Harvey JAY  
SERIAL NO. : 10/647,948  
FILED : 08/26/2003  
FOR : Skin Treatment with Optical Radiation  
GROUP ART UNIT : 3739  
EXAMINER : Henry M. JOHNSON, III

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RESPONSE TO OFFICE ACTION

S I R:

In response to the Office Action of June 1, 2006, applicant encloses herewith copies of several non-patent publications. In response to the Examiner's request for copies of items of art referred to in the specification on page 3, applicant provides a copy of an abstract entitled "Effects on markers of Apoptosis After Intense Pulsed-Light Treatment of Photo Damaged Skin" published in *American Society for Laser Medicine and Surgery Abstracts*, April 12, 2006.

Further information in response to the Examiner's request with respect to the art referred to in the specification on page 3 cannot be readily obtained.

In response to the Examiner's request for copies of documentation and known information related to radiation as a prophylactic measure, applicant has performed a literature search and provides copies of the following documents:

"A Low UVB Dose, with the Potential to Trigger a Protective p53-Dependent Gene Program, Increases the Resilience of Keratinocytes Against Future UVB Insults," by David Decraene et al., *The Journal of Investigative Dermatology*, Volume 125, Number 5, pp. 1026-1031, November 2005.

"Activation of Molecular Adaptation to Sunlight – A New Approach to Photoprotection," by Gary M. Halliday, *The Society for Investigative Dermatology*, pp. xviii-xix, November 2005.

*Dermatology in General Medicine*, Sixth Edition, Ed. Irwin M. Freeberg et al., Vol. 2, p. 2350, 2006.

Abstracts:

"Modulation of IL-10, IL-12, and IFN- Gamma in the epidermis of Hairless Mice by UVA (320-400 nm) and UVB (280-320 nm)," by J. Shen et al., *Journal of Investigative Dermatology*, 113(6), 1059-64, December 1, 1999.

"Ultraviolet A Radiation (320-400 nm) Protects hairless Mice from Immunosuppression Induced by Ultraviolet B Radiation (280-320 nm) or Cis-Urocanic Acid," by V. E. Reeve et al., *International Archives of Allergy and Immunology*, Vol. 115, Iss. 4, pg. 316, April 1998.

"Interferon-Gamma is Involved in Photoimmunoprotection by UVA (320-400 nm) Radiation in Mice," by V.E. Reeve et al., *Journal of Investigative Dermatology*, 112(6), 945-50, June 1, 1999.

"Pretreatment with Long-Wave Ultraviolet Light Inhibits Ultraviolet-Induced Skin Tumor Development in Hairless Mice, by N. Bech-Thomsen, *Archives of Dermatology*, 124, 1215-1218, 1998.